



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, Washington 98101

IDD 9518  
9/21/01  
#3A

September 21, 2001

Reply To  
Attn Of: WCM-121

IDD 07092 9518  
FILED  
FILE COPY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Rob J. Hartman  
FMC/Astaris Corporation  
Phosphorus Chemical Division  
Box 4111  
Pocatello, ID 83205

Re: Notice of Deficiency (NOD) -- Section 6.6, Pond 18 Resource Conservation and Recovery Act (RCRA) Closure Plan, Schedule for Completing Closure. EPA ID No. IDD 07092 9518

Dear Mr. Hartman:

The United States Environmental Protection Agency Region 10 ("EPA") received the Closure Plan for Pond 18, Cell A and Cell B, on August 31, 2001, and for Pond 17 in June 2001. As part of the Closure Plans, FMC has requested approval of an extended closure period pursuant to 40 C.F.R. §265.113(b). Although not explicitly stated in Volume 3 of the Pond 18 Cell B Closure Plan, FMC/Astaris is requesting that this pond be allowed to continue in operation until dewatering of Cell A is complete, which may exceed four years.

EPA continues to be concerned about the potential for phosphine and hydrogen cyanide emissions from these ponds, and seek a closure schedule which minimizes the likelihood and/or amount of such releases.

While EPA may - pursuant to 40 C.F.R. 265.113(b) - approve a closure period longer than 180 days, such an approval would be dependent on FMC/Astaris providing a convincing demonstration that the closure could not reasonably or safely be completed within the standard 180-day time period.

In order for EPA to approve such a schedule, FMC/Astaris must provide a detailed closure schedule and justification for why closure will, of necessity, take longer than the 180 days allowed for under 40 C.F.R. 265.113(b). In addition to the schedule with justification, the following specific items must be addressed in your response:

- 1) An explanation for the delayed initiation of work to prepare the pond for phase 1 of closure.
- 2) Justification for the proposed use of Pond 18 Cell B for the discharge of decant water from Pond 18 Cell A. This justification must include a detailed water balance for the production plant, calciner, and LDR waste treatment system, including losses through evaporation and pond leakage to justify the proposed use of Cell B for decant water from Pond 18 Cell A.

Please provide the above information within 30 days of receipt of this NOD. Your response must address EPA and Tribal concerns about phosphine and hydrogen cyanide emissions during the closure period, including plans to monitor emissions and control access and exposures to protect human health and the environment. Following EPA's review, we will inform you of our determination, which could include: approval, approval with modification, or disapproval of the Pond 18 Closure Plan. If you have any questions regarding this request, please contact Linda Meyer at (206) 553-6636.

Sincerely,



*FCA* Richard A. Albright, Director  
Office of Waste and Chemical Management

cc: Susan Hanson, Shoshone-Bannock Tribes  
Jeanette Wolfley, Shoshone-Bannock Tribes  
Blaine Edmo, Chairman, Fort Hall Business Council  
Robert J. Fields, FMC

bcc: A. Boyd, Office of Regional Counsel  
 S. Burges, Office of Waste and Chemical Management  
 L. Meyer, Office of Waste and Chemical Management  
 G. Haselberger, Office of Enforcement and Compliance

CONCURRENCES					POLICY FILE			
Initials :	<i>AB</i>		<i>LM</i>		Yes <input type="checkbox"/>	No <input type="checkbox"/>		
Name:	permits team	Sylvia Burges	Linda Meyer	Andy Boyd	If policy file please bcc to RMSPU Manager			
Date:	9/21/01		9/21/01					
RCRIS EVENT					Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
SNC IDENTIFICATION					Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
(Can it be entered in RCRIS?)					Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
REGION 10 POLICY FILE					Yes	<input type="checkbox"/>	No	<input type="checkbox"/>



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Mr. Robert Hartman  
FMC Corporation  
Phosphorous Chemicals Division  
PO Box 4111  
Pocatello, ID 83205

## 2. Article Number (Copy from service label)

7000 0600 0027 0475 0970

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

## COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Bob Edwards 9-27

C. Signature

X R E Edwards ☐ Agent ☐ Addressee

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OCT 01 2001

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US Postal Service

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Mr. Robert Hartman

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FMC Corporation

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Phosphorous Chem Div

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Certified Fee

Pocatello, ID 83205

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Return Receipt Showing to Whom, Date, &amp; Addressee's Address

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PS Form 3800, April 1995

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Recipient's Name (Please Print Clearly) (to be completed by mailer)

Rob Hartman FMC Corp

Street, Apt. No., or PO Box No.

Phos. Chem. Div. Box 4111

City, State, ZIP+4

Pocatello, ID 83205

PS Form 3800, February 2000

See Reverse for Instructions

7000 0600 0027 0475 0970